

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODNEY J. QUIGLEY,

No. C-11-6212 EMC

Plaintiff,

v.

**ORDER DENYING PLAINTIFF'S
MOTION FOR DEFAULT JUDGMENT
WITHOUT PREJUDICE**

VERIZON WIRELESS, *et al.*,

Defendants.


(Docket No. 27)

Plaintiff Rodney J. Quigley has moved for a default judgment against two of the defendants in this case, more specifically, Waste Management, Inc. and Receivable Management Services Corp. Because the Clerk of the Court has declined Mr. Quigley's request for entry of default as to these defendants, *see* Docket No. 32 (notice), the Court denies Mr. Quigley's motion for default judgment against the same defendants without prejudice. *See Vongrave v. Sprint PCS*, 312 F. Supp. 2d 1313, 1318 (S.D. Cal. 2004) (stating that "a plain reading of Rule 55 demonstrates that entry of default by the clerk is a prerequisite to an entry of default judgment").

This order disposes of Docket No. 27.

IT IS SO ORDERED.

Dated: February 3, 2012


EDWARD M. CHEN
United States District Judge